

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-21165 - APPLICANT: REI NEON, LLC - OWNER: BLUE DAYDREAMS, LLC, ET AL

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL, subject to conditions:

Planning and Development

1. A General Plan Amendment (GPA-20227) to a MXU (Mixed Use) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-21175) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) to C-2 (General Commercial) on 73.5 acres at the southwest corner of Charleston Boulevard and Main Street. The project proposes to develop a multi-phase mixed use development which includes 3,000 condominium units, 6,000 hotel rooms, a 22,000 seat private sports arena, street level retail, office and exhibition space, and a casino.

The proposed rezoning to the C-2 (General Commercial) zoning district is consistent with the proposed MXU (Mixed Use) designation being requested under a companion General Plan Amendment (GPA-20227). The proposed C-2 (General Commercial) zoning district is appropriate for the proposed project and compatible with the area; therefore, staff recommends approval of this rezoning request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/06/86	The City Council adopted by Ordinance #3218 the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.
07/05/00	The City Council adopted by Ordinance #5238 the Downtown Centennial Plan.
05/17/06	The City Council adopted by #5830 the amended Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.
01/03/07	The City Council adopted by Ordinance #5874 the amended Downtown Centennial Plan.
05/24/07	The Planning Commission recommended approval of companion items GPA-20227, ZON-21166, SUP-21168, SUP-21169, SUP-21171, SUP-21172, VAC-21173 and SDR-21175 concurrently with this application. The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #17/ff).
<i>Pre-Application Meeting</i>	
04/05/07	A pre-application meeting was held with the applicant. The following items were discussed with the applicant: General Plan Amendment to MXU (Mixed Use) Rezoning from M (Industrial) and C-M (Commercial/Industrial) to C-2 (General Commercial) Downtown Centennial Plan Standards – utilities underground, streetscape standards, setbacks, service areas, parking structures, architectural standards such as reflective material, articulated roofline, no blank expressionless walls, detail main entry from street, no reflective glass (22% max). Parking study required Traffic study required

<i>Neighborhood Meeting</i>	
4/24/07	<p>A neighborhood meeting was held on Tuesday, April 24, 2007 at 5:30 p.m. at Artistic Iron Works, 105 W. Charleston Blvd. Thirty-eight members of the public attended the meeting.</p> <p>The following questions and concerns were raised by members of the public: Concern about traffic on Main Street, and whether or not Main Street would be widened. General questions were raised about other traffic mitigation measures that would be required because of the project. Concern about the height and appearance of the parking structures. Concern about how the project might change if the applicant isn't awarded the RFP for the arena. Concern about whether there would be any public art components associated with the project, and how the project will compliment the Arts District. Questions were raised about REI's financial issues, funding, and profits. Concern about whether the project will accommodate the gateway project planned for Charleston Boulevard. Concern about whether the arena would conflict with the Performing Arts Center. A resident expressed a desire that the businesses and buildings on the west side of Main Street be retained, and that the new development be limited to the west side of Commerce Street. Questions were raised about the construction timeframe for the project. A question was raised about whether there was a valid sales contract with every property owner. A question was asked as the whether the applicant would be "flipping" the property. The applicant was asked if they had the financing to complete the project.</p>

<i>Field Check</i>	
04/23/07	<p>The 73.5 acre area is an array of commercial and industrial uses such as offices, retail shops, auto body shops, used car sales, warehouses, motel, and a bus depot. The area is bordered by Charleston Boulevard to the north, Wyoming Avenue to the south, the Union Pacific Railroad to the west, and Main Street to the east.</p>

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	73.50

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Body Shops, Bus Depot, Offices, Motel, Truck Storage, Retail Shops, Used Car Sales, Warehouses.	LI/R (Light Industrial), C (Commercial)	M (Industrial), C-M (Commercial/Industrial), C-2 (General Commercial)
North	Warehouses, Convenience Store	C (Commercial), LI/R (Light Industrial)	M (Industrial), C-M (Commercial/Industrial), C-2 (General Commercial)
South	Auto Body Shops, Shops, Open Storage, Parking Lot,	C (Commercial), LI/R (Light Industrial)	C-M (Commercial/Industrial), C-2 (General Commercial)
East	Auto Body Shops, Storage, Shops, Offices, Tavern, Restaurant	C (Commercial)	C-M (Commercial/Industrial), C-2 (General Commercial)
West	Shops, Offices, Warehouses, Service Station, Car Wash	C (Commercial), LI/R (Light Industrial), MXU (Mixed Use)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		N ¹
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District (<i>Downtown South, Arts District</i>)	X		N
A-O (Airport Overlay) District (200 feet)	X		N ²
Trails³	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

1. A Waiver of Downtown Centennial Plan (Downtown South) Design Standards has been requested by the applicant.
2. A Special Use Permit (SUP-21175) has been requested for a proposed high rise mixed-use development in the Airport Overlay District.

3. Multi-Use Trail designated along railroad. In addition a pedestrian path is designated on Wyoming Avenue. Per Map 9 of the Downtown Centennial Plan, a Proposed Bus Rapid Transit Route is designated as proposed travel route on Main Street.

ANALYSIS

This Rezoning proposes to change the site's zoning from M (Industrial), C-M (Commercial/Industrial), and C-2 (General Commercial) to C-2 (General Commercial). An associated General Plan Amendment application (GPA-20227) would change the land use designation for the entire site to MXU (Mixed-Use), which would allow a spectrum of commercial and residential uses. The proposed C-2 (General Commercial) zoning district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. The C-2 District is consistent with the General Commercial category of the General Plan. The proposed hotel, trade show, retail and office uses are consistent with the proposed land use and zoning designations. The arena and residential uses require approval of Special Use Permit applications (SUP-21168 and SUP-21169).

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed uses are in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area of the City. The proposed development is in compliance with the C (Commercial) designation.

As non-restricted gaming facilities are proposed for the site, the applicant has filed a request (ZON-21166) to designate a portion of the development area as part of the Gaming Enterprise Overlay District. The application must be approved in order to permit the casino uses as shown on the site plan.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

With the approval of the General Plan Amendment (GPA-20227), the proposed application will be consistent with the General Plan.

2. "The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."

The proposed uses are consistent with C-2 (General Commercial) District and are generally compatible with surrounding uses and districts.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The proposed development will enhance the existing neighborhood and provide a positive economic impact to the surrounding area.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

The development will be subject to traffic mitigation improvements, which may result in the dedication of additional right-of-way to accommodate the proposed intensity of use. A Traffic Impact Analysis is required as a condition of approval of the associated Site Development Plan (SDR-21175) application.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 1424 by Planning Department

APPROVALS 0

PROTESTS 0